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Election/Restrictions

1. Applicant's election of 25-27, 30 and 57 in the reply filed on 07/10/2009 is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

DETAILED ACTION

2. Claims 25-27, 30 and 57 are pending in this application.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 25-27 and 30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 25-27 and 30 are directed to applications of software and related data structures and are not considered to be fallen into one of the statutory subject matters, such as a process, a machine, a manufacture or a composition of matter; therefore, the claimed invention is non-statutory.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 27 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in

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the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding Claim 27, the terms of rev and tag as used in the claimed formula rev=tag is not clearly defined or described in the specifications; therefore, constitute new matters.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 25, 30 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marconcini et al (US 6,834,110), Cocotis et al (US 2002/0112162) in view of Sudia (US 6,209091) and Applicant's admitted prior art (AAPA).

Regarding Claim 25, Marconcini discloses a supplemental television content architecture comprising (see Marconcini, fig. 5 for architecture, col. 5, ll. 61-65 for method, col. 12, ll. 45-48 for metadata, see abstract and title for TV content, see col. 15, ll. 34-36 for signing):

Marconcini discloses an application comprising a collection of files (see Marconcini, col. 50, ll. 45-47 for application files, Col. 88, ll. 5-50) but is not explicit about the application is a supplemental television application delivered through an interconnecting channel separate from a channel used to deliver broadcast media.

However, AAPA discloses supplemental content such as a collection of files may be delivered using the same communication channels as the broadcast media, or may be delivered through separate interconnecting channels like an internet connection (Background of the invention).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Marconcini with AAPA to provide separate channel such as popular internet as alternative channel to provide supplemental content; thereby improve bandwidth usage for main channel.

Marconcini also discloses a cluster of the files, wherein the cluster is a subset of the files grouped through a logical organization (Marconcini shows clusters are set of files grouped in logical organization (see Marconcini, abs, col. 5, l. 63 - col. 6, l. 8) as well as clusters having the inherent property of sets of files grouped logically),

The files comprising:

A signature file comprising a cluster signature, a reference to the cluster, and a time version information (see Marconcini, col. 27, ll. 28-40, the expiration date is a time version record for the cluster (the SC) and is stored in the BOM (signature file));

A security information resource file comprising a cluster information metadata, a signature location metadata, and a delegate metadata (see Marconcini, figs. 1, 2, col. 7, l. 65 - col. 8, l. 10, col. 27, ll. 5-59, with cluster info metadata such as metadata digest, signature location, a clearinghouse URL where further signature verification may be done, delegate information such as a clearinghouse URL); and Marconcini shows that the start file(s) describe parameters to execute an associated application (see Marconcini, col. 83, ll. 28-52, col. 88, ll. 30-40, as helper file(s) in execution of web browser enhancement functions, as well as the inherent property of a start file to describe information (parameters) in order to execute an application, including all processing of SCs, such as link to security info file);

Furthermore, AAPA admitted the start file is an initial file and is commonly used to carry application run parameters and references an application boot file to start execution of the application (Para 31, Para 87 of US 2004/0068757, publication of the applicant's application); therefore, it is obvious or inherent to include a start file to run a application file.

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Marconcini shows that a delegate is an entity authorized to sign or verify an event (see Marconcini, col. 3, ll.5-59, an inherent property of a delegate is its authorization to verify in addition to a main signer, an electronic store vis-a-vis the content provider).

Marconcini shows determining a delegate name and constraints, wherein constraint comprises time boundaries (see Marconcini, col. 9, l. 60 - col. 10, l. 15, such as use of a clearing house or electronic store for distribution of time limited or licensed data).

Additionally, Cocotis teaches delegation of verification authority (see Cocotis [30], fig. 1, secure transaction authority server is example) where said delegate name and constraints are determined, and cluster signature has hash code for each of the files, Cocotis [31-32]).

And, Sudia, who discloses a digital signature system, teaches delegation of verification authority (see col. 2, l. 48 - col. 3, l.43, determining a delegate and time constraint).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of Marconcini and Cocotis with Sudia giving the authorizing agent a delegation mechanism (see, Sudia, col. 3, ll. 38-41).

Wherein the time version information describes the version of the signature file as a function of the files in the cluster, and wherein the delegate metadata comprises identity and constraints of a delegate (see Sudia, col. 2, ll. 53-67, operational shares define the signature as a function of the signing devices or operators representing association of files in the cluster (see Sudia, col. 8, l. 16 - col. 9, l. 35, col. 28, ll. 19-36);

Wherein the delegate metadata comprises identity of a delegate (see Marconcini, col. 9, l. 60 - col. 10, l. 15, use of clearing house or electronic store denotes identity of delegate).

Regarding Claim 30, Marconcini and Cocotis further disclose storing at least one of delegate information, security policy information (Marconcini, col. 27, ll. 25-44, within the BOM (expression) a description of the digest algorithm or security policy info).

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Regarding Claim 57, AAPA further disclose the interconnecting channel separate from the channel used to deliver broadcast media comprises an Internet connection (Background).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include Internet connection as commonly used alternative route for supplemental content.

8. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Marconcini et al (US 6,834,110) and Cocotis et al (US 2002/0112162) in view of Sudia (US 6,209091) and AAPA and further in view of Wall et al (US 2002/0120939).

Regarding Claim 26, Marconcini teaches security policy information (see Marconcini, col. 27, II. 25-44, within the BOM (expression) an expiration date or time version info is stored as well as a description of the digest algorithm or security policy info); however the combination is unclear on location of permission request file and privacy statement;

Wall, who discloses a webcasting system, does teach security policy information data that comprises specifying a location of a permission request file or privacy statement (see Wall, [52], FAQs are permission files and privacy statement links specify location of docs).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Marconcini, Cocotis, Sudia and AAPA with that of Wall in order to direct the user to documents useful for security information via a consistent navigation scheme (see Wall, [52]).

Response to Arguments

9. Applicant's arguments with respect to claims 25-27, 30 and 57 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

10. The prior art of record and not relied upon is considered pertinent to applicant's disclosure.

- Bradley (US 2002/0194219)
- Machida (US 2002/0059624)
- Sansom (US 2009/0119700)

11. Claims 25-27, 30 and 57 are rejected.

Correspondence Information

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRED PENG whose telephone number is (571)270-1147. The examiner can normally be reached on Monday-Friday 09:30-19:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hirl can be reached on (571) 272-3685. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fhp

/Joseph P. Hirl/
Supervisory Patent Examiner, Art Unit 2426
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